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OFFICE OF PETITIONS

In re Application of
Nakamura
Application No. 09/877,802
Filed: June 6, 2001
Attorney Docket No. 10960-0112
For: METHODS AND COMPOSITIONS FOR
DETECTION AND DIAGNOSIS OF
INFECTIOUS DISEASES

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 2, 2005 (certificate of mailing date April 28, 2005), to revive the above-identified application. In addition, the decision will address the petition to accept black and white photographs as drawings.

The petition under 37 CFR 1.137(b) is **granted**.

The petition to accept black and white photographs as drawings is **dismissed as moot**.

This application became abandoned on February 19, 2005 for failure to timely file drawings on or before February 18, 2005 as required by the Notice of Allowability mailed November 18, 2004. A Notice of Abandonment was mailed on April 18, 2005.

Regarding the petition to accept black and white photographs as drawings, none is required. Photographs are acceptable as final drawings, in lieu of India ink drawings, to illustrate inventions which are incapable of being accurately or adequately depicted by India ink drawings. Black and white photographs submitted in lieu of ink drawings must comply with 37 CFR 1.84(b). There is no requirement for a petition or petition fee, and only one set of Photographs is required. MPEP 608.02. The \$130.00 petition fee submitted on May 2, 2005 (certificate of mailing date April 28, 2005) will be credited to deposit account no. 11-0855.

The instant petition contains the required corrected formal drawings, an acceptable statement regarding the unintentional nature of the delay in responding to the November 18, 2004 Notice of Allowability, and the petition fee.

After the mailing of this decisions, the application will be forwarded to Publishing Division for consideration of the corrected formal drawings submitted with the instant petition.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "E. Shirene Willis". The signature is written in a cursive style with a large, stylized initial "E".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions